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### Civil Action No. 84-3040 Plaintiff's Witness List

United States District Court for the District of Columbia

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

MAR 14 1985

ANN B. HOPKINS,

Plaintiff,

v.

PRICE WATERHOUSE,

Defendant.

CLERK, U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

Civil Action No. 84-3040

PLAINTIFF'S WITNESS LIST

A. Lay Witnesses

Plaintiff may call the following lay witnesses during her  
case-in-chief:

Ann B. Hopkins --	to testify concerning her tenure at Price Waterhouse and the firm's consideration of her for partner;
Thomas O. Beyer -- Partner-in-Charge Office of Government Services Price Waterhouse	to testify concerning plaintiff's tenure at Price Waterhouse and the firm's consideration of her for partner;
Donald R. Ziegler -- Chairman, Advisory Committee Price Waterhouse	to testify concerning the firm's policies and practices concerning admission of partners and its consideration of plaintiff and other candidates;
Donald Epelbaum -- Partner Office of Government Services Price Waterhouse	to testify concerning his opposition to plaintiff's candidacy for partnership;
Roger Feldman -- Comptroller U.S. Department of State	to testify concerning plaintiff's work on contracts on which Price Waterhouse's client was the Department of State;

Joseph Linneman --  
Office of the  
Comptroller  
U.S. Department of  
State

to testify concerning plaintiff's  
work on contracts on which Price  
Waterhouse's client was the  
Department of State;

Howard Renman  
Office of the  
Comptroller  
U.S. Department of  
State

to testify concerning plaintiff's  
work on contracts on which Price  
Waterhouse's client was the  
Department of State;

Robert Lamb --  
Assistant Secretary  
of State  
U.S. Department of  
State

to testify concerning plaintiff's  
work on contracts on which Price  
Waterhouse's client was the  
Department of State.

Plaintiff intends to call Messrs. Beyer, Ziegler and  
Epelbaum as adverse witnesses in accordance with Rule 611(c),  
Federal Rules of Evidence.

B. Expert Witnesses

Plaintiff may call Dr. Charles R. Mann and Dr. Susan Fiske  
as expert witnesses. Dr. Fiske would only be called as a  
rebuttal witness. Resumes for Drs. Mann and Fiske are listed as  
Plaintiff's Exhibits 36 and 37, respectfully.

1. Dr. Mann will testify concerning certain analyses and  
statistical tests he has performed on data relating to  
defendant's partners and employees.

Dr. Mann will testify concerning census data on the  
percentage of women in such occupations as accountant and  
management analyst. He will testify that, given this data, the  
probability of a result in which seven of 662 partners are women  
is statistically significantly lower than what is expected. He  
will discuss Pl. Ex. 38(a) during his testimony on this topic.

Dr. Mann will also testify concerning his analysis of a

computer tape provided by defendant, which contains certain data on partners and employees, including date of hire, contract year (i.e., year in which an employee became a manager) and date admitted to partnership. Dr. Mann will testify as to the manner in which he calculated the number of employees eligible for consideration for partnership, by sex, in the years 1979-1985. This data is set forth in Pl.Ex. 38(b), which also shows the number and percentage of candidates actually proposed. Dr. Mann will discuss the observed disparities between the male and female percentages and, in particular, will testify that the disparity was statistically significant for 1983, the year in which plaintiff was proposed.

Dr. Mann has also analyzed the time it takes, by year of hire and sex, for employees to become manager for the years since 1968. He will describe the observed pattern of more rapid advancement for men and will testify that the existence of the pattern is statistically significant. He will discuss Pl.Ex. 38(c) during his testimony on this topic.

2. Dr. Fiske will testify about social science research on the phenomenon of stereotyping, particularly sex role stereotyping. A stereotype is a belief, usually negative, about a person based on that person's being categorized as a member of a particular social group.

Dr. Fiske will testify that stereotyping may occur in the employment context when a person is being evaluated for a particular position. It is most likely to occur in this context if certain antecedent conditions are met, including (1) rarity,

i.e., the person being evaluated is a member of a group that is poorly represented in the type of position in question; and (2) ambiguity of criteria and information, i.e., the criteria of evaluation are vague and ill-defined, and some of the information on which judgments are based is open to multiple interpretation.

Dr. Fiske will testify that there are certain indicators that demonstrate stereotyping is occurring, including (1) comments that maximize the differences between groups, e.g., by indicating that certain types of behavior are more appropriate for one group than another; (2) comments that indicate that the individual being evaluated is being perceived as a member of a particular group; (3) evidence that the same attributes are viewed differently, and more negatively, by some of the evaluators since those who stereotype tend to view particular attributes of a person more negatively than those who do not. In addition, where the person evaluated is in a small minority, the evaluations made by individuals acting on stereotypes become more extreme. At the group level, this may lead to a division of opinion, if some evaluators are not acting on stereotypes; hence divided opinion may also be an indicator that stereotyping is occurring.

Dr. Fiske will testify that sex role stereotyping tends to be harmful to women being evaluated in the employment context. This is because stereotypers tend to act on the basis of stereotypes rather than on specific information about the individual being evaluated. This results in the exaggeration of negative attributes and the discounting of positive attributes.

These phenomena are particularly likely to occur if a woman (1) is perceived as acting in a fashion incongruent with her sex role, and (2) is being evaluated for a position that is perceived as incongruent with her sex role.

Dr. Fiske will also testify that stereotyping is knowable, observable and controllable. It can be prevented, or at least constrained, by providing both information about the phenomenon and incentive to refrain from using it.

Based on a review of materials from the record in this case, Dr. Fiske will testify that the antecedent conditions associated with sex role stereotyping are present. In particular, a woman partner at Price Waterhouse is a rarity (seven of 662), as is a woman candidate for partnership (one of 88 in the year in which plaintiff was first considered). In addition, based on a review of PAR 015 and the instructions for completing long-form and short-form reports, Dr. Fiske will testify that the criteria for evaluating partnership candidates are vague and ill-defined and that the criterion used to disqualify plaintiff, an asserted deficiency in "interpersonal skills," is particularly ambiguous. Dr. Fiske will also testify that the information on which judgments on "interpersonal skills" are made is subject to multiple interpretations.

Dr. Fiske will testify further that several indicators are present in this case showing that sex role stereotyping is occurring. These include the following, which are not intended to be exhaustive. First, there are comments that stress that certain types of behavior are deemed appropriate for women, as

opposed to men. Of particular significance here is Thomas Beyer's advice that plaintiff "look more toward appearing more feminine" and related comments. Second, a number of comments on plaintiff's long and short forms, in the report of the office visits, and in the records of the Policy Board indicate that some partners perceive plaintiff more as a woman than as a professional. Third, a review of all the comments on the long and short forms and on the report of the office visits shows that many of the qualities praised by plaintiff's supporters tend to be condemned by her opponents. This phenomenon itself and the resulting divided opinion are both frequently associated with a situation in which some of the evaluators are acting on stereotypes.

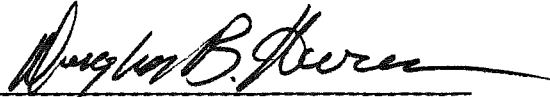
Dr. Fiske will testify that plaintiff was perceived as acting in a fashion incongruent with her sex role. The evidence here includes Thomas Beyer's comments cited above, Robert Kelly's reference to plaintiff as "macho" and Tim Coffey's comment that she "may have overcompensated for being a woman." Dr. Fiske will also testify that the position to which plaintiff aspired, partner in a large, male-dominated firm, is the type of position traditionally seen as incongruent with a woman's sex role.

Based on an assessment of the evidence cited, as well as the fact that defendant has taken no steps to constrain evaluators from acting on sex role stereotypes -- not even minimal steps such as publishing a policy against discrimination -- Dr. Fiske will render an opinion that plaintiff was subject to stereotyping on the basis of sex.

C. Rebuttal Witnesses

Plaintiff reserves the right to call additional witnesses for purposes of rebuttal.

Respectfully submitted,



Douglas B. Huron



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